



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q79765

Nobuhiro MIYAKAWA

Appln. No.: 10/771,618

Group Art Unit: 2852

Confirmation No.: 9479

Examiner: Unknown

Filed: February 05, 2004

For: TONER, PRODUCTION METHOD THEREOF, AND IMAGE FORMING APPARATUS  
USING SAME

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL  
APPLICATION FILED UNDER 37 CFR 1.53(B) - FILING DATE GRANTED**

**MAIL STOP MISSING PARTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the "Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b) - Filing Date Granted," mailed May 5, 2004 for the above application, Applicant respectfully submits herewith a copy of the Declaration for the above identified application properly executed by the inventor. Also enclosed please find a Petition for Extension of Time, Submission of two (2) Priority Documents and a copy of the executed Assignment and PTO Form 1595.

Checks for the statutory fee of \$1144.00 (\$770 basic filing fee + \$172 excess independent claim fee + \$72 excess claim fee + \$130 declaration surcharge) and Recordation of Assignment fee of \$40.00 are attached.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

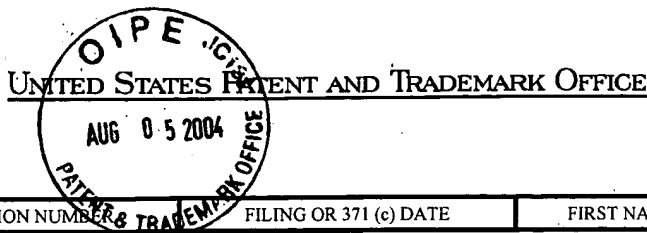
WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

*Jeffrey Schmidt #41,574*  
Darryl Mexic  
Registration No. 23,063  
*for*

Date: August 5, 2004



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/771,618	02/05/2004	Nobuhiro Miyakawa	Q79765

23373  
SUGHRUE MION, PLLC  
2100 PENNSYLVANIA AVENUE, N.W.  
SUITE 800  
WASHINGTON, DC 20037

CONFIRMATION NO. 9479

## FORMALITIES LETTER



\*OC000000012534669\*

Date Mailed: 05/05/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/05/2004 SHINASS1 00000052 10771618

FILED UNDER 37 CFR 1.53(b)

01 FC:1001	770.00 OP
02 FC:1202	72.00 OP
03 FC:1201	172.00 OP
04 FC:1051	130.00 OP

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$244** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1144** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$244**

- **\$172** for 2 independent claims over 3.
- **\$72** for 4 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

*Isaiah*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE